



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,224	12/21/2001	Timo Vataja	4208-4038 Nokia 26200	3292
27123	7590	11/28/2005		
MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101				
EXAMINER				
PERUNGAVOOR, VENKATANARAY				
ART UNIT		PAPER NUMBER		
2132				

DATE MAILED: 11/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/024,224

Applicant(s)

VATAJA, TIMO

Examiner

Venkatanarayanan Perungavoor

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see Pages 9-12, filed 11/7/2005, with respect to the rejection(s) of claim(s) 1-4, 7-15, 19-22, 26, 31-34, 36-39, 44-47, 49-52 under 35 USC § 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of U.S. Patent 6,282,362 B1 to Murphy et al. (hereinafter Murphy).

Specification

2. On Page 5 Line 21, the word another is misspelled "anoter". Appropriate correction required.

3. On Page 8 Line 5, CCC 313 is mentioned, the Examiner believes it should be CCC 310 to be consistent with drawings. Appropriate correction is required.

4. On Page 10, Ln 11-14, the Applicant mentions algorithm 505 in Fig. 5, however none such is present in Fig. 5. The Examiner believes the drawing is deficient of 505 block in Fig. 5. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

Art Unit: 2132

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

VP 6. ^{1-9, 13-20, 22-36, 39-49, 52 are} Claims ☒ rejected under 35 U.S.C. 102(a) as being anticipated by U.S. Patent

6,282,362 B1 to Murphy et al.(hereinafter Murphy).

7. Regarding Claim 1, 52, Murphy discloses the retrieving location-based authentication data associated with multimedia device see Col 10 Ln 45-54; encoding the multimedia content with location-based authentication data as being created at a certain physical location and time see Col 22 Ln 21-27 & Col 4 Ln 11-47.

8. Regarding Claim 2, 31, 44, Murphy discloses the authentication data including physical location of device see Col 9 Ln 45-66.

9. Regarding Claim 3, 15, 32, 45, Murphy discloses the location being determined by GPS see Col 15 Ln 2-7.

10. Regarding Claim 4-7, 16-19, 34-35, 47-48, Murphy discloses the physical location being determined through connection to networks see Col 14 Ln 54- Col 15 Ln 7.

11. Regarding Claim 8-9, 33, 36, 46, 49, Murphy discloses the date and time of content creation see Col 16 Ln 49-52.

12. Regarding Claim 13, Murphy discloses the content creation and encoding are substantially simultaneously executed see Col 15 Ln 36-46.

13. Regarding Claim 14, Murphy discloses an location device that generates location data for determining location physical location see Col 15 Ln 2-7; a time device for generating time see Col 16 Ln 49-52; a storage device for storing data identifying device and algorithm see Col 15 Ln 14-20 & Col 21 Ln 66- Col 22 Ln 27; a media generation switch that initiates to encode with location data see Col 15 Ln 21-27.

14. Regarding Claim 22, Murphy discloses the hash algorithm see Col 22 Ln 6-27.

15. Regarding Claim 23-25,27-30, 40-43 Murphy discloses the image, audio, video data see Col 7 Ln 48-56 & Col 15 Ln 30-35.

16. Regarding Claim 26, Murphy discloses the receiving content through a network see Col 19 Ln 33-39; authentication data being correlated in the server Col 15 Ln 47-56; executing algorithm that encodes the content to create an key that authenticates see Col 21 Ln 66- Col 22 Ln 27.

17. Regarding Claim 39, Murphy discloses an storage medium see Col 15 Ln 16-20; a network interface see Col 15 Ln 8-14; a processor for receiving content through a network see Col 19 Ln 33-39; authentication data being correlated in the server Col 15

Ln 47-56; executing algorithm that encodes the content to create an key that authenticates see Col 21 Ln 66- Col 22 Ln 27.

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. Claim 10, 11, 20, 21, 37, 38, 50, 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,282,362 B1 to Murphy et al.(hereinafter Murphy) in view of U.S. Patent Publication 2002/0080968 A1 to Olsson.

20. Regarding Claim 10, 11, 12, 20, 21, 37, 38, 50, 51, Murphy does disclose the authentication data including physical location of device see Col 9 Ln 45-66, the date and time of content creation see Col 16 Ln 49-52, but does not disclose the GSM systems beings used which include IMEI data and the authentication data including the IMSI. However, Olsson discloses the GSM systems beings used which include IMEI data see Par. 0028 & Par. 0037 and the authentication data including the IMSI see Par. 0023. It would be obvious to one having ordinary skill in the art at the time of the invention to include IMEI data and the authentication data including the IMSI in the invention of Murphy in order to have an standard data as taught in Olsson see Par. 0023.


Conclusion

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkatanarayanan Perungavoor whose telephone number is 571-272-7213. The examiner can normally be reached on 8-4:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

22. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Venkatanarayanan Perungavoor
Examiner
Art Unit 2132

VP
11/21/2005


GILBERTO BARRON JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100